

Remarks

Claims 1-20 and 31-32 are pending in the present application and are rejected.

Claims 1, 31, and 32 are amended to include the limitation - "wherein the entire first zone is positioned upstream of the second zone."

1. Claim Rejections Under 35 U.S.C. § 102

Claims 1-20 and 31-32 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sung. et al, U.S. Patent No. 6,087,298.

Applicants respectfully assert that the Examiner has failed to consider the limitation- "wherein the first zone is positioned upstream of the second zone." This limitation distinguishes the layered structures of Sun et al. In order to further distinguish Sung et al. and to advance prosecution, Applicants amend this limitation in independent claims 1, 31, and 32 to read - "wherein the **entire** first zone is positioned upstream of the second zone."

Since Sung et al. cannot and does not disclose the entire first zone positioned upstream of 1 second zone as required by amended claim 1, 31, and 32, these claims cannot be rejected under 35 U.S.C. 102 (b) since anticipation requires "each and every element of the claimed invention be disclosed in the prior art. *Akzo N.V. v. United States Int'l Trade Comm'n*, 1 USPQ 2d 1241, 1245 (Fed. Cir. 1986).

Notwithstanding the argument set forth above, Applicants further rely on the their previous argument regarding the general difference between a zoned structure as claimed in the present invention and a layered structure as used in Sung et al.

Accordingly, claims 1-20, 31, and 32 are allowable under 35 USC 102 (b) over Sung et al. Since Sung et al. fails to disclose such a limitation, claims 1-20 and 31-32 are allowable under 35 U.S.C. § 102(b) over Sung. et al.

Claim 31 is rejected under 35 USC 102 (b) as being anticipated by EP 1108863.

Claim 31 is amended to require that the entire first zone is positioned upstream of the second zone. Claim 31 was previously amended to clarify that the first and the second zones are contained within a single catalyst structure. The Examiner has apparently failed to consider the single catalyst structure of claim 31. In support of the present rejection, the Examiner states regarding this reference:

It is taught that the NO_x reduction in catalyst was disposed downstream of the closed TWC (page 7, lines 55-59). With respect to the language of the claims, the closed coupled TWC is considered to meet the claimed first zone and the NO_x reducing catalyst is considered to meet the claim second zone.

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As previously pointed out, EP 1108863 does not contain an analogous limitation. It is apparent from the Examiner's statements that in sustaining the rejection, two **distinct** catalysts are being combined together to provide the functionality of independent claim 31. Applicants had previously amended claim 31 to clarify that the first and second zones must be contained within a single catalyst structure. Accordingly, amended claim 31 is allowable under 35 U.S.C 102 (b) over EP 1108863.

Claim 31 is rejected under 35 U.S.C. § 102(e) as being anticipated by Deebe et al., U.S. Patent No. 6,375,910.

Claim 31 is patentable under 35 USC 102 (b) for precisely the same reasons stated above for EP 1108863. Specifically, the Examiner again has combined two **distinct**

catalysts together to create the two zone single catalyst structure of the present invention. As amended, claim 31 now specifically precludes such an artificial construction. Accordingly, amended claim 31 is allowable under 35 USC 102 (b) over U.S. Patent No. 6,375,910.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-20 and 31-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sung et al., U.S. Patent No. 6,987,298.

The allowability of claims 1-20, 31, and 32 over the Sung et al. reference has been discussed above. The Examiner only rejects these claims under 35 USC 103(a) “[i]f it is considered that the disclosure of Sung et al. is not sufficiently specific to constitute anticipation...”. However, as set forth above, Sung et al. fails to disclose the limitation - “wherein the **entire** first zone is positioned upstream of the second zone.”

Accordingly, claims 1-20, 31 and 32 are allowable under 35 USC 103(a) over Sung et al.

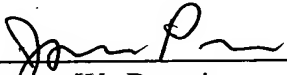
Conclusion

Applicants have made a genuine effort to respond to each of the Examiner's rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If a telephone or video conference would help expedite allowance or resolve any additional questions, such a conference is invited at the Examiner's convenience.

Applicants believe that no additional fees are required as a result of the filing of this paper. However, the Examiner is authorized to charge any additional fees or credits as a result of the filing of this paper to Ford Global Technologies, LLC's Deposit Account No. 06-1510 as authorized by the original transmittal letter in this case.

Respectfully submitted,

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